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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,183	06/04/2001	Shell S. Simpson	10007665-1	5609

7590            05/19/2005

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EXAMINER

DUONG, OANH L

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/874,183	SIMPSON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Oanh L. Duong	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 15 November 2004.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 13, 14, 17, 18, 20-22 and 24-37 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 13, 14, 17, 18, 20-22 and 24-37 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 06/24/2001.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

Claims 1-12, 15-16, 19 and 23 have been canceled.

Claims 13, 14, 17-18, 20-22 and 24-37 are presented for examination.

***Response to Arguments***

1. Applicant's arguments with respect to claims 13 and 20-22 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period; then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claim 22 is rejected under 35 U.S.C. 102(e) as being anticipated by Densmore (US 6,591,305 B2).

Regarding claim 22, Densmore teaches camera service stored on a computer usable medium (Fig. 2), the camera web service being configured to:

send camera content responsive to a request for web content from a browser (col. 6 lines 35-39);

receive a request for selected imaging data from the camera content via a network (col. 6 lines 38-40);

request the selected imaging data from a digital camera to which the camera web service is linked (col. 6 lines 41-49); and  
transfer the selected imaging data from the digital camera to the camera content via a network (col. 6 liens 35-60).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 13, 17, 18, 20, 21, and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moyer et al. (Moyer) (US 2002/0174206 A10 in view of Narayen et al. (Narayen) (US 6,035,323).

Regarding claim 13, Moyer teaches a method for transferring selected imaging data from a digital camera to a personal imaging repository (Fig. 3D), said method comprising:

requesting web content from a camera web service a browser that executes on a client computer (page 5 paragraph 44);  
receiving camera content from the camera web service using the browser (page 5 paragraph 44);

retrieving imaging data stored on a digital camera using the camera content (page 11 paragraph 87); displaying imaging data to a user within the browser (page 11 paragraph 88); and receiving a user selection of imaging data (page 11 paragraph 11); and responsive to the selection, requesting selected imaging data using the camera content (page 11 paragraphs 87-89).

Moyer does not explicitly teach requesting imaging data from the camera web service via network communication.

Narayen teaches receiving a user selection of imaging data, and responsive to the selection, requesting imaging data from the camera web service via network (col. 11 lines 41-49).

It would have been obvious to a person of ordinary skill in the data processing art at the time of the invention was made to combine the teachings of Moyer to include imaging data from the camera web service via network communication as taught by Narayen because it would allow images to be transferred to a web site from which the images can be shared with other clients, thereby allowing images to be retrieved from any convenient location where a personal computer with an Internet connection is available (Narayen, col. 1 lines 54-56).

Regarding claim 17, Moyer teaches receiving the selected imaging data using the camera content (page 11 paragraphs 87-89)

Moyer does not teach receiving imaging data from the camera web service

Narayen teaches receiving the selected imaging data from the camera web service using the camera content (col. 11 lines 41-49).

It would have been obvious to a person of ordinary skill in the data processing art at the time of the invention was made to combine the teachings of Moyer to include receiving the selected imaging data from the camera web service using the camera content as taught by Narayen because it would allow images to be transferred to a web site from which the images can be shared with other clients, thereby allowing images to be retrieved from any convenient location where a personal computer with an Internet connection is available (Narayen, col. 1 lines 54-56).

Regarding claim 18, Moyer teaches automatically saving the selected imaging data to an imaging data store of the client computer using the camera content (page 11 paragraph 89).

Regarding claim 20, Moyer teaches a browser stored on a computer usable medium (i.e., web browser 100, Fig. 1), the browser being configured to:

- request content from a web service via a network (page 5 paragraph 44); and
- execute the content so as to cause the content to:

- retrieve imaging data stored on a digital camera (page 11 paragraph 87);
- display the imaging data on the browser (page 11 paragraph 88); and
- receive a user selection of imaging data (page 11 paragraph 11).

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Moyer does not explicitly teach requesting selected imaging data from the camera web service via network.

Narayen teaches requesting selected imaging data from the camera web service via network (col. 11 lines 41-49).

It would have been obvious to a person of ordinary skill in the data processing art at the time of the invention was made to combine the teachings of Moyer to include requesting imaging data from the camera web service via network as taught by Narayen because it would allow images to be transferred to a web site from which the images can be shared with other clients, thereby allowing images to be retrieved from any convenient location where a personal computer with an Internet connection is available (Narayen, col. 1 lines 54-56).

Regarding claim 21, Moyer teaches Camera content stored on a computer usable medium, the camera content being configured to:

be transmitted to a requesting browser executing on a client computer (page 5 paragraph 44);

automatically save the selected imaging data to an imaging data store of the client computer (page 11 paragraph 89).

Moyer does not explicitly teach automatically receive selected imaging data and create, save and set imaging composition as claimed.

Narayen teaches receive selected imaging data transferred from a camera web service via a network (col. 11 lines 41-49), automatically create an imaging composition

that includes a link to the selected imaging data (col. 6 line 28-60); save the imaging composition to a composition store (col. 6 lines 56-60); and set the imaging composition as a selected composition (Fig. 14D).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to combine the teachings of Moyer to include the step of receive imaging data, automatically create, save and set imaging composition as taught by Narayen because it would allow a user of a digital camera to easily distribute or publish images from the digital camera over a network such as internet (Narayen, col. 2 lines 27-31).

Regarding claim 24, Moyer teaches accessing a personal image repository of the client computer using an extension component of the browser that provides access to user information that associates the camera content with the personal imaging repository (page 9 paragraph 77).

Regarding claim 25, Moyer-Narayen teaches automatically creating an imaging composition that includes a link to the imaging data using the camera content (Narayen, col. 6 line 28-60).

Regarding claim 26, Moyer-Narayen teaches storing the imaging composition in a composition store (Narayen, col. 6 lines 56-60).

Regarding claim 27, Moyer-Narayen teaches setting the imaging composition as a selected composition using the camera content (Narayen, Fig. 14D).

4. Claim is rejected under 35 U.S.C. 103(a) as being unpatentable over Moyer in view of Narayen in further view of Anderson.

Regarding claim 14, Moyer-Narayen does not explicitly teach determining the connection and returning error message as claimed..

Anderson teaches determining whether the connection with the camera web service is successful, returning an error message to the user when the connection with the camera web service is not successful (col. 13 lines 13-28); determining whether the camera web service has a link to the digital camera when the connection with the camera web service is successful, and, returning an error message to the user when the connection with the camera web service does not have a link to the digital camera col. 13 lines 13-35).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to combine the teachings of Moyer-Narayen to include the steps of determining connection and returning error message as taught by Anderson because it would provide an efficient, user transparent, process of obtaining the internet address of digital camera (Anderson, col. 4 lines 9-11).

5. Claims 28, 29 and 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moyer in view of Morris (US 6,353,848 b1).

Regarding claim 28, Moyer teaches a system for transferring selected imaging data from a digital camera to a personal imaging repository (Fig. 3D), said system comprising:

camera content comprised by the camera web service, the camera content being configured for transmission to a requesting browser operating on a client computer that communicates with the camera web service over a network, the camera content being configured for execution by the browser (page 1 paragraph 5), and upon such execution, to retrieve imaging data stored on the digital camera (page 11 paragraph 11), display the imaging data to the user within the browser, receive a user selection of imaging data (page 11 paragraph 88).

Moyer does not teach camera web service linked to a digital camera, and responsive to the selection request the selected imaging data from the camera web service via a network communication.

Morris teaches a camera web service linked to a digital camera (Fig. 1A col. 6 lines 58-66), and request the imaging data from the camera web service via network communication (col. 13 lines 30-52).

It would have been obvious to a person of ordinary skill in the data processing art at the time of the invention was made to combine the teachings of Moyer to include the web service linked to a digital camera and request the imaging data from the web

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service via network communication as taught by Morris because such use of link do not require additional and substantial memory on the camera dedicated to enabling remote access, thereby allowing remote access within the constraint of the size of the camera (Morris, col. 14 lines 3-5).

Regarding claim 29, Moyer-Morris teaches the camera web service executes on a camera web server that is linked to the digital camera (Morris, Fig. 1A col. 13 lines 32-33).  
[ ] [ ]

Regarding claim 31, Moyer-Morris teaches the camera web service is configured to receive requests from the camera content for selected imaging data and in response, request the selected imaging data from the digital camera (Morris, col. 13 lines 30-52).

Regarding claim 32, Moyer-Morris teaches the camera web service is further configured to receive the selected imaging data from the digital camera and transfer the selected imaging data to the camera content via network (Morris, col. 13 lines 30-52).

Regarding claim 33, Moyer-Morris teaches a personal imaging repository located on the client computer, and wherein the camera content is further configured to receive the selected imaging data and automatically store the selected imaging data in the personal imaging repository (Moyer, (page 9 paragraph 77 and page 11 paragraphs 87-89).

Regarding claim 34, Moyer-Morris teaches personal imaging repository comprises an imaging data store in which the selected imaging data is stored (Moyer, page 11 paragraphs 88-89).

6. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moyer in view Morris in further view of Anderson et al. (Anderson) (US 6,567,122 B1).

Regarding claim 30, Moyer-Morris does not teach said camera web service is located in the digital camera.

Anderson, in the same field of endeavor, teaches said camera web service executes on in the digital camera (col. 4 lines 30-50 and col. 12 lines 41-56 and col. 15 lines 11-23). Anderson teaches such use of camera web service executes on the digital camera would provide an intuitive, easy to use interface for presenting the digital camera's functionality and capabilities to users (col. 3 line 55-57). For this reason, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the camera web service located in the digital camera of Anderson in the system for transferring imaging data in Moyer-Morris.

7. Claims 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moyer in view of Morris in further view of Narayen.

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Regarding claim 35, Moyer-Morris does not explicitly teach automatically create an imaging composition including a link to the selected imaging data in the personal imaging repository.

Narayen teaches automatically create an imaging composition including a link to the selected imaging data in repository (col. 6 lines 28-60).

It would have been obvious to a person of ordinary skill in the data processing art at the time of the invention was made to combine the teachings of Moyer-Morris to include the step of automatically create an imaging composition including a link to the selected imaging data in the repository as taught by Narayen because it would allow a user of a digital camera to easily distribute or publish images from the digital camera over a network such as internet (Narayen, col. 2 lines 27-31).

Regarding claim 36, Moyer-Morris-Narayen teaches a composition store in which the imaging composition is stored (Narayen, col. 6 lines 28-64).

Regarding claim 37, Moyer-Morris-Narayen teaches the browser comprises an extension component that provides access to user information that associates the camera content with the personal imaging repository (Moyer, page 11 paragraph 89).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh Duong whose telephone number is (571) 272-3983. The examiner can normally be reached on Monday- Friday, 8:00AM - 5:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Bharat Barot*  
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PRIMARY EXAMINER

O.D  
May 12, 2005